

ADVERTISEMENT.

ADVERTISEMENT.

Egyptian

DEITIES

"The Utmost in Cigarettes"

Plain end or Cork tip

People of culture, refinement and education invariably prefer Deities to any other cigarette.

25¢

dentist was soft-spoken and mild of manner. So at variance with the import of his words was his voice and his appearance that, save for the evidence which the state has piled up against him, his confession scarcely could have been believed.

And this outward aim to be and do the proper thing, which seems Waite's fetish—this savor fair which Mr. Deuel has been diligently bringing out in each of his cross-examinations and which undoubtedly is to be dealt on by the alienists for the defense—led him at one point to interrupt the proceedings.

His lawyer had asked if he remembered receiving Dr. Jacob H. Cornell and his nephew Arthur Swinton, when they came from Somerville, N. J., to extend their condolences on the occasion of her father's death.

Cornell and Swinton had testified that Waite had been anything but cordial in his greeting when they presented themselves at the door of his apartment, and the defendant's mind harked back at once to that testimony.

"Yes, I remember," he said. "But I am sure I could not have been discourteous. I'm afraid you have come too late. That was what I said, I think."

Waite's "Min from Egypt" that cunning and cruel after ego whom he accused as the real murderer of Mr. and Mrs. Peck, played no part in the story. Not once was he mentioned, either in question or answer. It was plain, tennis-playing, Arthur Warren Waite from start to finish.

Defends "Studio Mate" to Last.

Persons who have been following the trial closely had expected that Waite, when put on the stand, would take advantage of his opportunity to even score with Mrs. Margaret Horton, the once beloved and trusted-to-the-grave companion of the Hotel Plaza "studio."

At her first question, Dr. Waite, believing her to be the one person who would stand at his side and defy the world, had admitted to Mrs. Horton his guilt. And she, on the stand Wednesday as a witness for the state, had repeated his confession. More while defending her own name from anything graver than the charge of indiscretion, she had revealed the contents of letters written to her by the defendant after his arrest and delivered by the lawyer—letters whose bantering contents concerning the "Man from Egypt" and a prospective insanity plea must weigh heavily against the expert testimony of his alienists.

But the man who used to be moved to tears by her voice dealt must gently with his singing soulmate.

Just as much as she had seen fit to tell of their friendship he color and more. When the examination passed on to another phase Mrs. Horton was still the "dove among crows" that her loyal husband has called her. Waite's own love he confessed. Her side of the affair he covered in a monosyllabic answer when Deuel asked if he believed she had reciprocated.

"Yes."

Father Watches Murderer.

Waite went on the witness stand at 4:10 o'clock in the afternoon. He carefully lifted his coat tails as he took his seat, then crossed his legs and fell into an attitude of ease. A little smile flickered on his lips. Back in the court-

The London Shop



MEN'S

Lounge Suits

Ready to Put On

\$25, \$27.50, \$30.

Silk Shirts

Sports Shirts

Lisle Socks

Four-in-hands

Tweed Caps

The Merchandise of This Shop

measures up to the standard of London, which is the arbiter of men's fashions—as Paris is of women's. Some of the things are made in London; some in the United States; some in France; some in Italy; some in other countries. The place of manufacture signifies little; the character of the merchandise matters much.

Custom Tailoring

Lounge suits, knickerbocker suits for the links, dinner and evening suits, made to individual measurements.

Sixth Gallery, New Building.

John Wanamaker

Broadway at Ninth Street, New York

away with an automobile as well. "Where you love with Clara Peck?" Deuel asked him. "I don't know," admitted Waite. "Why did you propose to her, then?" "Money."

"And when she refused you?" "I made up my mind to make her love me."

"Did you know her family was a wealthy one?"

"That was the reason I wanted to make her love me."

Q—Did you make a trip South with Miss Peck? A—Yes; we were always together.

Q—She accepted you, finally? A—Yes.

Q—While you were on the Southern trip did you steal anything? A—Yes.

Q—What was it? A—A \$10 bill.

Q—Where did you take it from? A—From Mrs. Peck's purse.

Waite said he came to New York after Clara Peck had accepted him, and then became undecided as to whether or not it would be best to fulfill his engagement. After he had permitted three days to pass without writing to the girl, whose heart he had calculatedly won—to her a tragic lapse—she came to New York from Grand Rapids, he said, and his indecision was at an end. He told of his meeting Miss Catherine Peck in New York and said she had been kind to him personally, as well as trusting him with the conduct of her business. Although another man did the real work, he testified it was he who took the credit in a number of profitable transactions.

Miss Peck Gave Him \$30,000.

Q—Did you ever get a large sum from Miss Peck? A—Yes; she gave me \$30,000. I put it in with my account in a broker's office. I had started the account with \$3,000 or \$5,000 and bought

Q—Where did Miss Peck think the money was going? A—Into a construction company.

Q—Did you consider you were stealing that money when you diverted it to your own uses? A—No. It was still there. You've got to spend money before you have stolen it.

Waite resumed his testimony by telling how, after Miss Catherine Peck had given him a ring with a large diamond, so that he would not have to spend his own money for an engagement ring, he had stolen still another sum from her.

"What did your wife think you did for a living?" A—I told her from the first that I was a surgeon, and did work for doctors who had regular practices.

Did you meet Mrs. Margaret Horton last winter? A—Yes. It was about the first of the year. I used to go to Strand Theatre and sit in the front row listening to her when she was singing there. When I came back from Grand Rapids (after seeing the body of his mother-in-law safely cremated) I went to the Strand. She was singing there, but I traced her to the Academy of Music and met her there. After that I saw her almost every day.

Q—Did you become fond of her? A—Yes.

Was your affection reciprocated? A—Yes.

Waite told of taking up the study of French and German with Mrs. Horton at the Hotel Plaza, and of his long study of German culture what bacilli did you get? A—Nearly all the disease-producing ones.

Q—What did you want them for? A—To give them to Mrs. Peck and Mr. Peck and Miss Peck.

Q—How many times did you give germs to Miss Peck? A—Many.

Q—When did you begin giving the germs to your mother-in-law? A—The first day she came to visit us.

Q—How long did she live? A—About a week. She died some time in the night. She was dead when I awoke one morning.

Q—Had you slept all night? A—Oh, yes.

Q—How did you administer the bacilli to Mr. Peck? A—By putting them into food. I've forgotten what it was.

Q—Wasn't anybody present? A—No. Clara was in the kitchen. You know how our house is. You can see from the kitchen into the dining room.

Q—What kind of germs did you give him? A—Typhoid, diphtheria, pneumonia and others. I put some in a nasal spray for him, too. They didn't seem to affect him at all. I did all the things that I had learned from my book, and I couldn't get them strong enough. Then I started giving him calomel. I could put that on his grane fruit because it was sweet.

Q—What else did you do? A—I turned on the electric heater one night, but he stumbled over it and disconnected it.

Q—Anything else? A—Yes; I put water on the sheets of his bed so he'd catch a bad cold.

Poisoned Gas a Failure.

Q—Is that all? A—No; I put a chemical compound in his room to make a poisonous gas, but it failed.

The purchase of arsenic, which the state brought in so many witnesses to establish, was readily admitted by Waite. He said he had signed Druggist Timmerman's book, and had noted as requested, that he bought the poison to kill a cat. He got ninety grains for 75 cents.

Q—When did you give the arsenic to Mr. Peck? A—On Thursday or Friday. I first gave him a quarter teaspoonful. That didn't affect him, so I kept increasing the dose.

Q—Did you give him the rest Friday? A—I'm not sure.

Q—When did you administer it? A—Usually at meals—no particular ones. Once or twice I put it in an egg nog, once in rice pudding and once in milk and soup.

Q—What did you do Saturday night? A—I told Clara to go to bed and get a good night's sleep. I said I'd sleep on the couch, where I could hear Mr. Peck if he needed anything. I heard him groaning after I'd slept an hour. I went in an administered chloroform.

Q—Detail what you did? A—I said: "Here's something to ease your pain." Then I held the chloroform to his nose. Then I went out and got a pillow off the couch and put it over his head.

Q—When you were satisfied he was dead did you call up Dr. Moore? A—Yes.

A recess was taken at 6:30 o'clock, with Waite still on the stand. Court reconvened at 8.

As the long evening session of the trial drew toward a close Waite became visibly fatigued. His voice dropped from the gay, careless tone that had carried it when he first took the stand to a dull monotone. He seemed to be struggling constantly to make his mind serve him; seemed to be recalling past events only with the greatest physical effort.

Sought Undertaker's Aid.

He quietly told of how he had asked J. S. Potter, the undertaker, to inject arsenic in the embalming fluid and supply the District Attorney's office with a sample. Finally he told Eugene Oliver Kane, Potter's embalmer, agreed to doctor the fluid.

"He told me the job would be worth a lot of money," Waite explained, "inasmuch as he would have to ruin a great deal of fluid. I gave him a check for \$9,000. He intimated that the job was worth more than that, and I suggested paying him \$10,000 a year during each of the next four years."

The Sunday after he had returned from Grand Rapids he went twice to church, he asserted. In the morning he attended a fashionable Fifth Avenue church, and in the evening he accompanied Miss Catherine Peck, his

Waite, Vain as a Chorus Girl, Is Callous to Father's Sacrifice

Untouched by Baring of Family History, He Follows Parent on Stand, Smirking at Jury to Drive Home His Sordid Cleverness.

By BLANCHE BRACE.

A thin little shell of a white-haired woman yesterday buried her face in her pillow and wondered whether "her baby" was proving his guilt or his innocence on the stand in his own behalf. And the clock ticked on with age-long pauses between ticks, and still she wondered how the trial was going.

And I, who heard every word he spoke and did not miss one expression on his face, was not less uncertain. Now that I have seen Arthur Warren Waite upon the stand, I am less than ever able to make up my mind whether or not the young slayer is a criminal. Perhaps there are people who know exactly what it means when an acknowledged poisoner, facing death, chats so casually from the stand, pausing momentarily to smile at the gaping listeners in the courtroom, at the jurors who will determine his verdict, at the judge who will sentence him. I don't.

Waite's Testimony a Relief.

As a man who tells a story in which he is not much interested just to keep up his share of the conversation, the young tennis champion and rose-sending husband gave his evidence. I do not think he had one twinge of fear or of real concern over the outcome. His demeanor was the more marked because he was preceded by his old father, whose face is grooved with sorrow, and his brother Frank, the hero of a sordid trial, who crucified themselves there, before our eyes, in a brave and pitiable effort to save his life. I watched them with a sense of shame that there should be onlookers at such terrible pain.

It was really a relief, almost a sort of porter scene in "Macbeth," when the young dentist took the stand, seated himself in a careful regard for the jurors in his trousers, and looked about him with that ingratiating, insincere grin that seems to be a sort of nervous habit with Dr. Waite. He made no call upon your sympathy, because he did not seem to be aware of any need of sympathy. He seemed to be a person apart from the staring courtroom, the only one there who did not thrill to the dramatic possibilities of the moment.

Accused Smirks at Jury.

I had had plenty of opportunity to observe the back of Arthur Waite's head and had spent hours studying his profile, but now, for the first time, I looked straight into his face. It was more boyish than I had thought, and more furtive. Every line in it spoke of self-consciousness and of the vanity of a chorus girl on parade, he glanced at the jurors' box, not so much anxious to move them in his behalf as he said, and added that he had taken \$10 from her mother's purse at Palm Beach, where he went to pursue his courtship. He might have spared her that detail; he might have left her the illusion that just at first he had cared for her, I thought.

"It was terrible," she said, last night. "It was harder than being on the stand myself, to hear him."

Waite's face for eight long hours yesterday, there's just one thing for which I'm thankful: It is that I am a woman and can cover her a juror. Not, at least, until we have had the vote for a while and then we are going to abolish capital punishment, anyhow.

former wife's aunt, to Grace Episcopal Church.

The following day he saw Judge Swann at the District Attorney's office. He left the Criminal Courts Building, the shadows of the detectives who had been following him fell again across his path. He seemed to realize suddenly that he was hemmed in by the side of the day following—according to his recollection—he bought the drugs which he swallowed, and under the influence of which he was found when detected finally broke into his Riverside Drive apartment to arrest him.

During the long season that the powerful drug held him in its grip, his mind was a complete blank. He was moving back and forth in his room; that he was lifted and carried some place; of the boom of a flashlight; of a rubber tube being stuck down his throat; of coming to himself once more in Bellevue Hospital.

He finished his recital and dropped wearily back in his chair, drawing his hand painfully across his brow. While he waited in this listless pose his counsel boomed forth with a question that made every one in the courtroom bend eagerly forward.

Wanted Them to Die.

"What was your purpose in giving germs to all these people whom you have told us about?" Mr. Deuel asked. A moment of breathless silence.

"I wanted them to die."

"Why did you want them to die?"

"So—so I could get their money."

This last with the faintest ghost of a smile on the witness's drawn lips.

"When did you first have the idea of giving these germs?"

Waite thought for nearly a minute. "I think it was about the time I first met Miss Clara Peck," he responded.

"Did you have any reason for continuing to give germs to Miss Catherine Peck?"

"Yes. I wanted the others to die first. You see, I figured that if Miss Peck died her money would go to my wife, her brother and her father. In other words, it would have been divided into three parts. On the other hand, if my father-in-law died before Miss Catherine Peck, then when it came her turn to die her money would have gone only to her niece and nephew, or would have been divided into but two parts."

"Did you intend to kill Miss Peck?"

"Yes—at first."

The defence did not show its motive for pursuing this last line of questioning. In concluding Mr. Deuel informed Justice Shearn that he had finished with Dr. Waite as a witness unless he thought of some question overnight which he might have forgotten to ask. The night session was adjourned at 10:35.

There were many new faces inside the railing when the morning session opened, for the hour of the alienist was at hand. The quizzical smile with which Dr. Waite has faced some of the state's severest attacks twisted his lips as he marched past the row of experts sitting at right angles to the defence counsel table.

In the row sat Dr. William Mahon, of the Manhattan State Hospital on Blackwell's Island; Dr. Menas Gregory, head of the psychopathic department at Bellevue; Dr. Saunders and Dr. Jellicoe. They were waiting, and the dentist knew it as he smiled on them to combat on behalf of the state any scientific testimony through which his

rowed in secret for years they shame-

facedly recited to the twelve men in the jury box, the judge on the bench, to the hundred-and-fifty eager listeners on the spectators' benches and the reporters at the press table.

Waite a Liar and Cheat.

Lazy at home, a liar among his friends, a cheat at school and a thief wherever opportunity opened—so they sketched the boyhood of the son and brother they sought to aid.

There was a curious contrast between the expressions of the witnesses and that of Waite. The three testified with shaking voices and misty eyes. But Waite, although he stared moodily at the floor for the first few minutes of his father was on the stand, gave no other sign of a break in his habitual composure.

Under Mr. Deuel's direct examination the elder Waite said he was formerly a farmer, but now is a jobber of butter and eggs. A daughter of his wife's sister, he said, died in the state asylum at Kalamazoo.

Were there any other children of your wife's sister, Mary Jackson, who were of unsound mind? asked Mr. Deuel.

Yes.

Q—Was Ed, her son, in an asylum? A—He was in the Psychopathic Hospital at Ann Arbor for a time.

Q—What do you think of his condition? A—I think he was mentally weak.

Evidence that some of the children of the witness's mother's sister were deaf and dumb was then introduced, but was excluded by objections.

Poisoner's Grandfather Morose.

The witness asserted that his own father had been despondent and morose.

Q—Do you remember the defendant's birth? A—Yes.

Q—Do you remember his mother's condition before he was born? A—Very weakened.

Q—Describe the defendant's appearance at birth. A—He was a large baby, weighing twelve pounds.

Q—How was he as a baby? A—He seemed healthy, except that he was cross.

Q—Was he sick as a youngster? A—Yes, about six or seven years old. He had scarlet fever.

Q—Did he ever lie to you when he was a child? A—Yes, more frequently than the others.

Q—All through his childhood and high school and college years did that continue? A—Yes.

Q—Did he steal from somebody outside the family? A—Yes, he took \$200 from a schoolmate and I refunded it.

Mr. Brothers, in cross-examining the witness, asked him if there was any insanity in his family, and he replied that there was none in his own family.

A deposition of Dr. Herman Ottander, superintendent of the Kalamazoo Insane Asylum, stated that both Aurilia I. and Burt Jackson were inmates of the institution.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."

Q—Did he ever discuss Miss Clara Peck with you? A—Yes. He showed me her picture and called her "his Clara."

During the cross-examination, conducted by Assistant District Attorney Brothers, the witness stated that he knew of no epilepsy, mental deficiency or criminality in his family. The first that he knew of any suspicion about John Peck's death was when he read it in the newspapers, he declared.

Q—Do you remember previous to this

when he was fifteen. A—He was not de-

We finally agreed to have him take a dental course at Ann Arbor.

The witness then told of the defendant's preparation for college at the Central High School in Grand Rapids, from which, at the age of eighteen, he entered the University of Michigan for a three years' course in dentistry.

Q—When the defendant came back from South Africa where did he stay? A—At my home in The Bronx for a week. Then he went to Grand Rapids—home.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."

Q—Did he ever discuss Miss Clara Peck with you? A—Yes. He showed me her picture and called her "his Clara."

During the cross-examination, conducted by Assistant District Attorney Brothers, the witness stated that he knew of no epilepsy, mental deficiency or criminality in his family. The first that he knew of any suspicion about John Peck's death was when he read it in the newspapers, he declared.

Q—Do you remember previous to this

when he was fifteen. A—He was not de-

We finally agreed to have him take a dental course at Ann Arbor.

The witness then told of the defendant's preparation for college at the Central High School in Grand Rapids, from which, at the age of eighteen, he entered the University of Michigan for a three years' course in dentistry.

Q—When the defendant came back from South Africa where did he stay? A—At my home in The Bronx for a week. Then he went to Grand Rapids—home.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."

Q—Did he ever discuss Miss Clara Peck with you? A—Yes. He showed me her picture and called her "his Clara."

During the cross-examination, conducted by Assistant District Attorney Brothers, the witness stated that he knew of no epilepsy, mental deficiency or criminality in his family. The first that he knew of any suspicion about John Peck's death was when he read it in the newspapers, he declared.

Q—Do you remember previous to this

when he was fifteen. A—He was not de-

We finally agreed to have him take a dental course at Ann Arbor.

The witness then told of the defendant's preparation for college at the Central High School in Grand Rapids, from which, at the age of eighteen, he entered the University of Michigan for a three years' course in dentistry.

Q—When the defendant came back from South Africa where did he stay? A—At my home in The Bronx for a week. Then he went to Grand Rapids—home.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."

Q—Did he ever discuss Miss Clara Peck with you? A—Yes. He showed me her picture and called her "his Clara."

During the cross-examination, conducted by Assistant District Attorney Brothers, the witness stated that he knew of no epilepsy, mental deficiency or criminality in his family. The first that he knew of any suspicion about John Peck's death was when he read it in the newspapers, he declared.

Q—Do you remember previous to this

when he was fifteen. A—He was not de-

We finally agreed to have him take a dental course at Ann Arbor.

The witness then told of the defendant's preparation for college at the Central High School in Grand Rapids, from which, at the age of eighteen, he entered the University of Michigan for a three years' course in dentistry.

Q—When the defendant came back from South Africa where did he stay? A—At my home in The Bronx for a week. Then he went to Grand Rapids—home.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."

Q—Did he ever discuss Miss Clara Peck with you? A—Yes. He showed me her picture and called her "his Clara."

During the cross-examination, conducted by Assistant District Attorney Brothers, the witness stated that he knew of no epilepsy, mental deficiency or criminality in his family. The first that he knew of any suspicion about John Peck's death was when he read it in the newspapers, he declared.

Q—Do you remember previous to this

when he was fifteen. A—He was not de-

We finally agreed to have him take a dental course at Ann Arbor.

The witness then told of the defendant's preparation for college at the Central High School in Grand Rapids, from which, at the age of eighteen, he entered the University of Michigan for a three years' course in dentistry.

Q—When the defendant came back from South Africa where did he stay? A—At my home in The Bronx for a week. Then he went to Grand Rapids—home.

Q—Did he bring any money back from South Africa? A—Yes, about \$1,500.

Q—Did he send any money home from South Africa? A—Yes, about \$7,000.

Q—After his return from South Africa did he ever mention marriage? A—Yes, soon after he came back. He talked of it as a general topic frequently.

Dentist Spoke of "His Clara."